

the articles had been shipped by J. A. E. Gauvin, Lowell, Mass., on or about August 26, 1919, and transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "For Babies * * * Colic, Dysentery * * *," (French) "For Babies * * * This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc. * * *;" (wrapper) For Babies * * * This syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. * * *," (French) "For Babies * * * This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc. * * *;" (circular) "For Babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful," (French) "For babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements) Recommended for babies and children when dentition is painful and when wanting sleep."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, alcohol, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements printed upon the labels of the bottles and wrappers and in the accompanying circulars were known by the shipper to be false and untrue, and that said statements regarding the curative and therapeutic effect of the article were false and untrue and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 31, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8814. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 42, 57, 112, 12 Dozen, 117, 76, 47, and 6 Dozen Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12718, 12719, 12720, 12721, 12722, 12723, 12724, 12725. I. S. Nos. 18580-r, 18576-r, 18579-r, 18578-r, 18375-r, 18582-r, 18372-r, 18597-r. S. Nos E-2220, E-2221, E-2228, E-2230, E-2234, E-2222, E-2232, E-2233.)

On May 27, and June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of Gauvin's Cough Syrup, consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages as follows, 42 bottles at Lisbon, Me., and 76 bottles and 47 bottles at Waterville, Me., shipped on or about October 9, 1919, 57 bottles and 12 dozen bottles at Skowhegan, Me., 112 bottles at Lisbon, Me., and 6 dozen bottles at Livermore Falls, Me., shipped on or about October 10, 1919, and 117 bottles at Fairfield, Me., shipped on or about October 23, 1919, alleging that the article had been shipped and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, regarding the curative or therapeutic effects thereof, to wit, (portion of shipment) (bottle) “* * * For * * * ‘La Grippe.’ Whooping-Cough & all affections of the Throat and Lungs,” (carton) “* * * Recommended for * * * ‘La Grippe,’ Whooping-Cough and all Throat and Pulmonary Diseases * * * A safe and active Remedy for all Diseases of the Respiratory Organs * * * all Throat and Lung Diseases,” (circular) “* * * Successfully used in all affections of the Throat, Bronchi and Lungs * * * especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption * * * Tuberculosis * * * ailments of the Chest * * * Spasmodic Coughs * * * Used against all affections of the Throat, Bronchi and Lungs * * * Gauvin’s Cough Syrup is fully indicated for the treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption * * * Tuberculosis and Epidemic Grippe * * * Diseases of the Chest * * * Gastric Disorders,” (wholesale carton) “* * * recommended for Pulmonary Diseases * * * affections of the Throat, Bronchial Tubes and Lungs. Hoarseness * * * La Grippe, Whooping Cough,” (remainder of shipment) (bottle) “* * * For La Grippe, whooping cough and all affections of the throat and lungs,” (carton) * * * Recommended for La Grippe, whooping cough and all throat and pulmonary diseases * * * for all diseases of the respiratory organs,” (circular) “* * * the greatest possibilities of a radical cure * * * highly recommended for all Affections of the Respiratory Organs * * * its persistent use produces a beneficial relief in serious as well as desperate cases * * * a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs * * * the use of Gauvin’s Syrup in the treatment of more severe cases of * * * Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proven conclusively the efficacy of this remedy * * * Especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs * * * .It will relieve the worst cases * * *,” were false and fraudulent in that the article contained no ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 11, June 17, and July 20, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8815. Misbranding of Sirop D’Anis (sirup of anise). U. S. * * * v. 20, 29, 28, and 11 Dozen, 71, 57, and 5 Dozen, and 18 Bottles of Sirop D’Anis. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12726, 12727, 12728, 12729, 12730, 12731, 12732, 12733. I. S. Nos. 18587-r, 18592-r, 18371-r, 18590-r, 18594-r, 18374-r, 18596-r, 18598-r. S. Nos. E-2198, E-2245, E-2239, E-2242, E-2244, E-2240, E-2241, E-2249.)

On June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of Sirop D’Anis, remaining unsold in the original unbroken packages, consigned by J. A. E. Gauvin, Lowell, Mass., as follows: 20 bottles, 29 bottles, and 11 dozen bottles at Brunswick, Me.; 28 bottles at Augusta, Me.;